

ATTACHMENT C-1 - PLAINTIFFS' PROPOSED VOIR DIRE

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DHI GROUP, INC. F/K/A DICE
HOLDINGS, INC. AND
RIGZONE.COM, INC.,

Plaintiffs,

v.

DAVID W. KENT, JR., SINGLE
INTEGRATED OPERATIONS
PORTAL, INC. D/B/A OILPRO
AND OILPRO.COM, ET AL.,

Defendants.

C.A: NO.: 16-cv-01670

PLAINTIFFS' PROPOSED VOIR DIRE

Plaintiffs DHI Group and Rigzone.com request the following Voir Dire questions in this matter:

1. Do you, or does someone close to you, have any experience with, or association with, any of the court staff, lawyers, or law firms in this case?
 - a. Jordan, Lynch & Cancienne
 - b. Foley Gardere
 - c. Walter Lynch
 - d. Amir Halevy

- e. Jeb Golinkin
 - f. Jay Munisteri
 - g. Sara Ann Brown
2. Do you, or does anyone close to you, have any specific familiarity, experience, business dealings, or association with any of the parties in this case, including DHI Group, Inc. (formerly known as Dice Holdings, Inc.), RIGZONE.com, OILPRO or OILPRO.com, or Mr. David W. Kent, Jr.?
3. Do you, or does someone close to you, have any experience with, or association with, any of the potential witnesses in this case?
- a. Estefan Dufrin
 - b. Matthew Kent
 - c. Jeremy Antonini
 - d. Jonathan Fairbanks
 - e. Michael Durney
 - f. Constance Melrose
 - g. Chad Norville
 - h. Evelina Aslanyan
 - i. Shane Johnson, Ph.D.
 - j. Casey Kent
 - k. Melvin "Bud" Montang
 - l. Chez Nortman
 - m. Laura Bumby
 - n. Brian Campbell
 - o. Princepreet Chana
 - p. Dan Cogdell

- q. Jesus Ramos
 - r. Bryan Robins
 - s. Neil J. Beaton
 - t. Saul Solomon
 - u. Trent Livingston
 - v. John T. Meyers
4. Prior to arriving in the courtroom today, had you heard or read anything about this case, or have you had any experience that sounds like what this case is about?
 5. If you have a college degree or hold a professional license or certification, please explain, including your major area of study?
 6. What is your current job and employer, and what do you do at work?
 - a. If you are not working outside the home, what was your last job and employer, and what do you do now?
 - b. If your current occupation is different than what you've done for most of your adult life, what has been your primary occupation and where have you been employed?
 7. If you are married or living with a partner, what is his or her current occupation and employer?
 - a. If not working, what does he or she do now, and what did he or she do before?
 8. If you have any children, what are their ages, and what are the occupations of any adult children?
 9. What social, civic, charitable, industry/trade associations or other organizations do you belong to?
 10. Have you previously served as a juror? If yes:
 - a. How many times and when, if you recall?

- b. Civil, criminal, or both?
 - i. What was the type of case (e.g., contract dispute, personal injury, etc.)?
 - ii. Was this in state or federal court?
 - c. Were you ever the foreperson or presiding juror?
 - d. Did the jury reach a decision in every case?
 - e. Did your experience as a juror affect your view of the justice system?
11. Have you, your spouse or partner, or a family member ever owned or run a business? If yes:
- a. Nature of the business and the industry it was/is in?
 - b. Title and role in the company?
 - c. The number of employees?
 - d. Is the business operating today? If not, when did it stop?
 - e. Have you/they ever sold your/their business to another party? Were you/they satisfied with the outcome?
 - f. Was the company ever involved in a serious dispute or lawsuit? If yes, explain what happened.
12. Have you, a family member, or someone close to you ever had experience, training or education in any of the following areas?
- a. The law, any legal field or the courts, dispute resolution or mediation
 - b. Accounting, finance or the calculation of damages
 - c. Oil and gas industry, or the energy field
 - d. Computer programming
 - e. Contracts or business agreements

- f. Cyber security
 - g. Development or management of any type of database
 - h. Human Resources or personnel matters, including talent acquisition
 - i. Trade secrets, intellectual property, or proprietary or confidential information
 - j. Product development or design
13. If yes to any of the above, please state: (i) who the person is and his/her relationship to you if it is not you; (ii) the type of work or training received; and (iii) when that occurred.
14. Have you ever uploaded or posted your resume to any job board or website?
- a. If yes, what industry or field did it involve and what was the experience of posting your resume like?
 - b. How often would you say you've posted your resume online?
15. Setting aside any personal experience you have had using similar services, do you have any other familiarity with or knowledge about online job boards and websites?
16. Do you have any experience or familiarity with the practice of "scraping" or extracting data from websites, also known as "web scraping?"
17. Have you or someone close to you ever been accused of unfairly competing in a business situation?
18. Have you ever signed, or been asked to sign, a confidentiality agreement, non-compete agreement, or nondisclosure agreement?
- a. Does anyone believe that employees or business associates should not have to sign or comply with these types of agreements?

19. Have you, someone close to you, or your employer ever been involved in a dispute regarding any confidential or proprietary information?
 - a. What was the result?
 - b. Were you/they satisfied?
20. Have you, someone close to you, or your employer ever been accused of competing unfairly or using someone else's resources or information without permission.
21. Have you, or has someone close to you, ever been accused of breaking a contract or breaching a fiduciary duty owed to another party?
 - a. What was the result?
 - b. Were you/they satisfied?
22. Have you, or has someone close to you, ever been accused of committing any kind of fraud?
 - a. What was the result?
 - b. Were you/they satisfied?
23. Defendant David Kent was charged with and pled guilty to a federal crime for the conduct that provides the basis of this civil lawsuit. Does anyone believe that because he has already been convicted of a federal crime, the Plaintiffs in this case should not be allowed to seek their full damages in this lawsuit?
24. Have you ever been involved in a legal action, such as a criminal prosecution or a civil lawsuit, as a Plaintiff, Defendant, Witness, or other interested party? If yes:
 - a. What kind of case was it, what were the circumstances?
 - b. When did this occur?
 - c. Were you or he/she deposed?

- d. Was there a trial?
 - e. What was the outcome of the case?
 - f. Were you satisfied?
 - g. How did this experience affect your opinion of the legal system?
25. Have you or anyone close to you ever been an expert or a consultant in a legal case of any kind?
26. Have you or anyone close to you ever hired an expert or consultant?
27. To the best of your knowledge, have any of your employers ever been sued?
- a. What did the lawsuit or claim involve?
 - b. Is it still pending, or has it been resolved?
 - c. Was it resolved to your/their satisfaction?
28. Do you have any beliefs against lawsuits involving trade secrets or the use and value of confidential information?
29. The law provides in some circumstances that even if a defendant has only taken a copy of something such that the rightful owner could still use the original, it may still be obligated to pay for the value of what was taken. Is anyone unable to award damages if Plaintiffs cannot show that they lost sales or that a defendant made money from their actions?
30. Do you support placing limits or caps on the amount of money damages that juries can award?
31. Is anyone a member of any organization, club or group that is concerned with civil lawsuits?
32. Do you have an opinion about the resolution of disputes through the court system in the United States?
- a. If so, what is that opinion?

- b. Will your opinions impede you from sitting as a fair and impartial juror in this case?
33. Punitive damages can be awarded in some cases to punish defendants for certain kinds of conduct. Punitive damages are different from compensatory damages and require a higher burden of proof. Do you have negative feelings about punitive damages or a belief against awarding them in a lawsuit?
34. Does anyone have a personal commitment that might impact his or her ability to attend Court each day, listen attentively, and participate in the trial of this action?
35. Do you have any trouble understanding English that you feel could create a difficulty for you as a juror?
36. Did you know or recognize any of the other potential jurors from before you came here today?
- a. If so, and if you are both selected to be on the jury, is there a possibility that your relationship might affect the way you would decide the case, or how you would approach deliberations?
37. If you are selected as a juror and hear this case, you will be required to deliberate with your fellow jurors to reach a decision. This will require you to discuss the evidence and the law in this case with the other jurors. Is there anything that leads you to believe that you would be unable or unwilling to engage in such discussions, even if they differ from your own views? In other words, will you be willing and able to work cooperatively with your fellow jurors in order to reach a verdict?
38. Is there anything else the Court or the attorneys should know or that makes you doubt that you would be a fair and impartial juror in this case?
39. If there is any reason why you would be unwilling or unable to serve as a juror?

Respectfully submitted,

**JORDAN, LYNCH & CANCIENNE
PLLC**

By: *s/Walter Lynch*

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